

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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LINDA BAAS,

Plaintiff,

V.

STATE OF NEVADA DIVISION OF
WELFARE AND SUPPORTIVE SERVICES
OF THE DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendant.

Case No. 2:16-cv-01821-APG-GWF

ORDER GRANTING MOTION TO DISMISS

(ECF No. 9)

Plaintiff Linda Baas filed suit under the Americans with Disabilities Act for disability discrimination and retaliation against defendant State of Nevada, Division of Welfare and Supportive Services of the Department of Health and Human Services. ECF No. 1. The defendant moves to dismiss on the basis of Eleventh Amendment immunity. ECF No. 9. In response, Baas concedes her claims are barred. ECF No. 26. However, she requests leave to amend. *Id.*

IT IS THEREFORE ORDERED that defendant State of Nevada, Division of Welfare and Supportive Services of the Department of Health and Human Services' motion to dismiss (**ECF No. 9**) is GRANTED.

IT IS FURTHER ORDERED that plaintiff Linda Baas shall file an amended complaint on or before March 8, 2017 if sufficient facts exist to allow her to properly assert claims. Failure to file an amended complaint by that date will result in dismissal without prejudice.

DATED this 1st day of February, 2017.

**ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE**